

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

CHAD BARRY BARNES,
Plaintiff,

v.

SEA HAWAII RAFTING, LLC,
KRIS HENRY, M/V TEHANI,
et al.
Defendants.

Civ. No. 13-00002 ACK-RLP

SECOND ORDER SETTING TRIAL, PRETRIAL CONFERENCE, AND DEADLINES

The bench trial in this matter is scheduled to commence on Tuesday, July 31, 2018 at 9:00 a.m. The Court is severing Plaintiff's claims for maintenance and cure and proceeding to a non-jury trial on those claims, as discussed in the Court's Minute Order filed May 29, 2018. ECF No. 322.

The trial-related deadlines set forth in the Third Amended Rule 16 Scheduling Order dated January 8, 2016, ECF No. 208, are amended as follows:

1. A final pretrial conference shall be held before the Honorable Alan C. Kay on Thursday, July 19, 2018, at 11:00 a.m.
2. Any motions in limine shall be filed by Thursday, July 5, 2018.

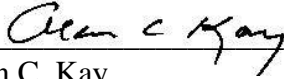
3. Oppositions to motions in limine shall be filed by Thursday, July 12, 2018.
4. By Thursday, July 5, 2018, the parties shall file and disclose to each other party the identity and written report of any person who may be used at trial to present expert evidence under Rules 702, 703, or 705 of the Federal Rules of Evidence.
5. Filing and disclosure of the identity and written report of any person who may be called solely to contradict or rebut the evidence of a witness identified by another party shall occur by Thursday, July 12, 2018.
6. By Thursday, July 5, 2018, the parties shall serve and file a final comprehensive witness list indicating the identity of each witness that the party will call at trial and describing concisely the substance of the testimony to be given and the estimated time required for the testimony of the witness on direct examination.
7. By Thursday, July 5, 2018, the parties shall pre-mark for identification all exhibits and shall exchange or, when appropriate, make available for inspection all exhibits to be offered, other than for impeachment or rebuttal, and all demonstrative aids to be used at trial.

8. The parties shall meet and confer regarding possible stipulations to the authenticity and admissibility of proposed exhibits by Monday, July 9, 2018.
9. By Thursday, July 12, 2018, the parties shall file any objections to the admissibility of exhibits. Copies of any exhibits to which objections are made shall be attached to the objections.
10. The original set of exhibits and two copies (all in binders) and a list of all exhibits shall be submitted to the Court by Tuesday, July 17, 2018.
11. By Thursday, July 5, 2018, the parties shall serve and file statements designating excerpts from depositions (specifying the witness and page and line referred to) to be used at trial, other than for impeachment or rebuttal.
12. Statements counter-designating other portions of depositions or any objections to the use of depositions shall be served and filed by Thursday, July 12, 2018.
13. By Thursday, July 12, 2018, each party shall serve and file a trial brief on all significant disputed issues of law, including foreseeable procedural and evidentiary issues, setting forth briefly the party's position and the supporting arguments and authorities.
14. The parties shall serve and file proposed findings of fact and conclusions of law by Thursday, July 12, 2018.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, June 20, 2018.





Alan C. Kay
Sr. United States District Judge

Barnes v. Sea Hawaii Rafting, et al., Civ. No. 13-00002 ACK-RLP, Second Order
Setting Trial, Pretrial Conference, and Deadlines.